

In *Howe v. Scarrott* and *Sharp v. Scarrott*, 4 Hurl. & N. 723, the wife of the defendant in replevin had, at the time of her marriage, the equity of redemption of the *locus in quo*, which was settled to her separate use. She enjoyed the property, and she and the defendant, or he in her name, let it to the plaintiff and she received the rents till her death. The defendant then distrained for rent which accrued subsequently, and it was held unlawful. Had the demise been by the husband, an estoppel would have arisen, and he and the tenant would equally have been estopped from setting up the real state of the title; but the premises being let by the husband and wife the estoppel was excluded, and on the death of the wife, there being no tenancy by the courtesy, the interest of the husband ceased.

CAP. XL.

For Physicians and their Privilege.

In most humble wise sheweth unto your Majesty, your true and faithful Subjects and liege men, the President of the Corporation of the Commonalty and Fellowship of the Science and Faculty of Physick in your City of *London*, and the Commons, and the Fellows of the same, that whereas divers of them many times having in cure, as well some of the Lords of your most honorable Council, and divers times many of the Nobility of this Realm, as many other of your faithful and liege People, cannot give their due Attendance to them, and other their Patients, with such Diligence as their Duty were, and is to do, by reason they be many times compelled, as well within the City of *London*, and Suburbs of the same, as in other Towns and Villages, to keep watch and ward, and be chosen to the Office of Constable, and other Offices within the said City and Suburbs of the same, as in other Places within this your Realm, **361** *to their great Fatigation, and Unquieting, and to the Peril of their Patients, by reason they cannot be conveniently attended: (2) It may therefore please your most excellent Majesty, with the Assent of your Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, to enact, ordain, and establish, That the said President of the Commonalty and Fellowship for the time being, and the Commons and Fellows of the same, and every Fellow thereof that now be, or that any time hereafter shall be their Successors, and the Successors of every of them, at all time and times after the making of this present